

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Greg Finch	Team: Squad #14	CCRB Case #: 201706636	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 08/12/2017 8:35 PM	Location of Incident: 33rd Precinct stationhouse	Precinct: 33	18 Mo. SOL 2/12/2019	EO SOL 2/12/2019	
Date/Time CV Reported Sat, 08/12/2017 9:10 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Sat, 08/12/2017 9:10 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Chanel Sanchez	20352	962774	033 PCT
2. SGT Ronnie Rodriguez	01501	947425	033 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SPA Grizell Oneill		329822	033 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Chanel Sanchez	Abuse: Police Officer Chanel Sanchez refused to provide her name and/or shield number to § 87(2)(b)	
B.SGT Ronnie Rodriguez	Abuse: Sergeant Ronnie Rodriguez threatened to remove § 87(2)(b) to the hospital.	

### Case Summary

On August 12, 2017, § 87(2)(b) filed this complaint via the CCRB's Call Processing System.

At approximately 8:35 p.m. on August 12, 2017, inside of the 33<sup>rd</sup> Precinct stationhouse in Manhattan, Police Officer Chanel Sanchez of the 33<sup>rd</sup> Precinct allegedly refused to provide her name and shield number to § 87(2)(b) (**Allegation A: Abuse of Authority;** § 87(2)(g) Sergeant Ronnie Rodriguez allegedly threatened that if § 87(2)(b) did not leave the stationhouse, she would be removed to the hospital (**Allegation B: Abuse of Authority;** § 87(2)(g) No arrest or summons resulted from this incident.

There is no video evidence in this case.

### Findings and Recommendations

#### **Allegation A – Abuse of Authority: Police Officer Chanel Sanchez refused to provide her name and/or shield number to § 87(2)(b)**

§ 87(2)(b) (Board Review 01) arrived at the 33<sup>rd</sup> Precinct stationhouse to file a police report regarding a theft of her personal belongings. § 87(2)(b) entered the stationhouse and spoke with SPA O'Neill, who refused to take § 87(2)(b)'s report. § 87(2)(b) then asked PO Sanchez to take her report, but PO Sanchez refused. § 87(2)(b) asked PO Sanchez for her name and shield number, and PO Sanchez did not respond to § 87(2)(b)'s request.

PO Sanchez (Board Review 02) said she was near the stationhouse front desk when she saw § 87(2)(b). She approached § 87(2)(b) and asked if she needed help. § 87(2)(b) said she wanted to file a report, though PO Sanchez did not recall what her complaint was about. PO Sanchez entered the 124 Room and asked SPA O'Neill if paperwork existed for § 87(2)(b)'s type of complaint. SPA O'Neill said no. PO Sanchez returned to § 87(2)(b) and informed her of such. § 87(2)(b) began speaking loudly with SPA O'Neill, causing Sgt. Rodriguez to ask PO Sanchez what was happening. § 87(2)(b) asked PO Sanchez for her name and shield number three times. PO Sanchez verbally provided her name and shield number to § 87(2)(b) each time. § 87(2)(b) paused for approximately two seconds between each request and did not say why she needed PO Sanchez to repeat the provided information. § 87(2)(b) took out a pen and paper and wrote something down, though PO Sanchez could not see what § 87(2)(b) was writing.

SPA O'Neill (Board Review 03) and Sgt. Rodriguez (Board Review 04) did not recall this incident.

§ 87(2)(b), § 87(2)(g)

#### **Allegation B – Abuse of Authority: Sgt. Ronnie Rodriguez threatened to remove § 87(2)(b) to the hospital.**

§ 87(2)(b) alleged that the "authoritative figure" behind the stationhouse podium, identified via investigation as Sgt. Rodriguez, stood up and told § 87(2)(b) to leave or be sent to the hospital. § 87(2)(b) said she did not need to go to the hospital, and that if she did, she could travel herself. Sgt. Rodriguez again threatened § 87(2)(b) to leave or he would have her "put away." At least 10 unidentified officers then allegedly turned to § 87(2)(b) put on gloves,

and placed their hands on their hips. Without speaking, the officers stepped toward § 87(2)(b) informed the officers that the incident was being recorded, that she planned to report the officers' behavior and that if necessary, she would "shut down" their precinct. She then left the stationhouse voluntarily.

At the time of her CCRB interview, § 87(2)(b) said that although she had recorded the incident, she did not know where the recording was. She agreed to provide the video footage to the CCRB should she locate it, but subsequent extensive contact attempts to follow up with § 87(2)(b) in regard proved futile (see IAs for contact attempts).

PO Sanchez said that Sgt. Rodriguez told § 87(2)(b) that she needed to leave the stationhouse. Sgt. Rodriguez seemed to be "getting tired" of § 87(2)(b) asking PO Sanchez for her name and shield number. § 87(2)(b) asked why she needed to leave. Sgt. Rodriguez said that if § 87(2)(b) did not leave, officers would either escort her out or an ambulance would be called to remove her. As Sgt. Rodriguez said this, two unidentified officers entered the stationhouse and approached § 87(2)(b). PO Sanchez did not recall § 87(2)(b) doing or saying anything else aside from asking for PO Sanchez's name and shield number and protesting that it was unfair that her complaint report would not be prepared. § 87(2)(b) did not make any verbal threats to any officers. In response to Sgt. Rodriguez's threat, § 87(2)(b) seemed upset and screamed, "Why do I have to leave? This is a public place." One of the unidentified officers put gloves on his hands, which PO Sanchez said is normal procedure for an officer who is preparing to touch someone. The two unidentified officers told § 87(2)(b) that she needed to leave. PO Sanchez denied that officers placed their hands on their hips and simultaneously turned toward § 87(2)(b).

PO Sanchez felt that § 87(2)(b)'s reaction to officers not preparing her complaint report somewhat warranted an ambulance being called, but PO Sanchez did not believe that § 87(2)(b) posed a threat to herself or anyone else. At some point, Sgt. Rodriguez told PO Sanchez that he considered § 87(2)(b) to be an "emotionally disturbed person," but he did not tell PO Sanchez that he believed § 87(2)(b) posed a threat to herself or others.

Sgt. Rodriguez did not recall this incident, but confirmed that he was assigned to the stationhouse front desk at the time.

SPA O'Neill did not recall this incident.

A person is considered to be emotionally disturbed, and therefore must be taken into protective custody, when she appears to be mentally ill or temporarily deranged and is conducting herself in a manner which a police officer reasonably believes is likely to result in serious injury to herself or others. NYPD Patrol Guide, Section 221-13 (Board Review 06).

§ 87(2)(b), § 87(2)(g)

### Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (Board Review 07).
- On April 17, 2018, a Notice of Claim query was submitted to the New York City Office of the Comptroller in regards to this complaint (Board Review 08). The response will be added to the casefile upon receipt.

### Civilian and Officer CCRB Histories

- § 87(2)(b)  
[REDACTED]  
[REDACTED]
  - [REDACTED]  
[REDACTED]
  - [REDACTED]  
[REDACTED]
  - [REDACTED]  
[REDACTED]  
[REDACTED]
- PO Sanchez has been a member-of-the-service for two years and has been a subject in one CCRB complaint and one allegation:
  - #2017082521 remains open in the Investigations Division, in which it is alleged that PO Sanchez refused to provide her shield number to an individual.
- Sgt. Rodriguez has been a member-of-service for nine years and this is the first CCRB complaint to which he has been a subject.

### Allegation Not Pled

**Threat:** § 87(2)(b)'s allegation that immediately following Sgt. Rodriguez's threat to remove her to the hospital, several officers looked at her at the same time, lined up next to each other, and placed their hands on either their hips or their holstered guns has been subsumed within Allegation B.

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Squad: 14

Investigator: \_\_\_\_\_  
Signature Print Date

Squad Leader: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date